

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION

CLIFTON INGRAM

PLAINTIFF

V.

NO. 3:06CV00170 WRW/JWC

DICK BUSBY, et al

DEFENDANTS

ORDER

Plaintiff has submitted a change of address, indicating that he is no longer incarcerated (docket entry #36).

When a plaintiff proceeding in forma pauperis is released from confinement, the Court's policy is to require resubmission of affidavits to determine whether the plaintiff should be required to pay all, or a portion of, the remaining fees and costs of the lawsuit. Therefore, if Plaintiff wishes to proceed with this lawsuit, he is directed to resubmit his request to proceed in forma pauperis on the enclosed form on or before January 18, 2007.

Plaintiff is reminded of his responsibility to comply with Rule 5.5(c)(2) of the Rules of the United States District Court for the Eastern District of Arkansas, which provides in relevant part that, if any communication from the Court to a pro se plaintiff is not responded to within thirty (30) days, the case may be dismissed without prejudice. Plaintiff's failure to respond timely to this order will result in a recommendation that his case be dismissed for failure to prosecute and for failure to respond to the Court's order. Moreover, such dismissal will count as a strike pursuant to 28 U.S.C. § 1915(g).¹

IT IS SO ORDERED this 18th day of December, 2006.



UNITED STATES MAGISTRATE JUDGE

¹Section 1915(g) provides:

In no event shall a prisoner bring a civil action or appeal a judgment in a civil action or proceeding under [the in forma pauperis statutes] if the prisoner has, on 3 or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.